

**ASSEMBLY BILL**

**No. 1371**

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**Introduced by Assembly Member Smyth**

February 27, 2009

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An act to amend Section 13552.8 of the Water Code, relating to recycled water.

LEGISLATIVE COUNSEL'S DIGEST

AB 1371, as introduced, Smyth. Recycled water.

Existing law, the Porter-Cologne Water Quality Control Act, authorizes a public agency to require the use of recycled water in floor trap priming, cooling towers, and air conditioning devices if certain requirements are met.

This bill would make technical changes to that provision.

Vote: majority. Appropriation: no. Fiscal committee: no.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

- 1     SECTION 1. Section 13552.8 of the Water Code is amended  
2     to read:  
3     13552.8. (a) Any public agency, including a state agency, city,  
4     county, city and county, district, or any other political subdivision  
5     of the state, may require the use of recycled water in floor trap  
6     priming, cooling towers, and air-conditioning devices, if all of the  
7     following requirements are met:  
8     (1) Recycled water, for these uses, is available to the user and  
9     meets the requirements set forth in Section 13550, as determined  
10    by the state board after notice and a hearing.

(2) The use of recycled water does not cause any loss or diminution of any existing water right.

(3) If public exposure to aerosols, mist, or spray may occur, appropriate mist mitigation or mist control is provided, such as the use of mist arrestors or the addition of biocides to the water in accordance with criteria established pursuant to Section 13521.

(4) The person intending to use recycled water has prepared an engineering report pursuant to Section 60323 of Title 22 of the California Code of Regulations that includes plumbing design, cross-connection control, and monitoring requirements for the public agency, which are in compliance with criteria established pursuant to Section 13521.

(b) This section applies to both of the following:

(1) New industrial facilities and subdivisions for which the building permit is issued on or after March 15, 1994, or, if a building permit is not required, new structures for which construction begins on or after March 15, 1994, for which the State Department of ~~Health Services~~ *Public Health* has approved the use of recycled water.

(2) Any structure that is retrofitted to permit the use of recycled water for floor traps, cooling towers, or air-conditioning devices, for which the State Department of ~~Health Services~~ *Public Health* has approved the use of recycled water.

(c) (1) Division 13 (commencing with Section 21000) of the Public Resources Code does not apply to any project which only involves the repiping, redesign, or use of recycled water for floor trap priming, cooling towers, or air-conditioning devices necessary to comply with a requirement prescribed by a public agency ~~under~~ *pursuant to* subdivision (a).

(2) The exemption in paragraph (1) does not apply to any project to develop recycled water, to construct conveyance facilities for recycled water, or any other project not specified in this subdivision.